

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS D. BENSON,)
on behalf of plaintiff and a class, and)
PEOPLE OF THE STATE OF ILLINOIS)
EX REL THOMAS D. BENSON) Case No.: 17-cv-5220
Plaintiffs,)
vs.) Honorable Steven C. Seeger
ZENCO COLLECTIONS, LLC, et al.) Magistrate Judge Jeffery T. Gilbert
Defendants.)
)

STATUS REPORT

I. Case Status

This case has been stayed pursuant to a receivership order entered against Defendants DeVille Asset Management, LTD and VIP Capital. Both parties were named Defendants in the case *Securities and Exchange Commission v. Kevin B. Merrill, et al.*, Cause No. 1:18-cv-02844-RDB pending in the United States District Court for the District of Maryland. The receivership was ordered after Defendants were found to be a part of a \$345 million Ponzi scheme. All litigation against Defendants has been put on hold since.

In this case, the parties had reached a settlement agreement to resolve the case against all Defendants and was in the process of finalizing a settlement agreement with DeVille and VIP. Defendants were made a part of the receivership a few weeks after the parties had nearly completed the settlement agreement.

II. Receivership Status

As of October 30, 2019, the receivership is still ongoing (Exhibit A). According to the latest report the receiver continues his investigation and administration of the receivership estate (Exhibit A). Additionally, the court authorized the receiver to identify creditors and claimants of the receivership estate and to formulate a proposed plan of initial distribution (Exhibit A). The court order instructing the receiver to identify claimants and creditors is attached as Exhibit B.

As of January 10, 2020, the receiver has not released a formal claims process or proposed plan of initial distribution. Based on a review of the docket, it appears that the receiver is still in the process of liquidating the assets of the defendants. To the best of the Plaintiff's knowledge, at this time there is no schedule in the receivership or any timeline for the close of the receivership. Plaintiff anticipates filing a claim soon.

III. **Status of the Lift**

Since the receivership is still in effect, and there is currently no formal claims process established, Plaintiff believes the stay should remain in place.

Respectfully Submitted,

s/Cassandra P. Miller
Cassandra P. Miller

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CERTIFICATE OF SERVICE

I, Cassandra P. Miller , hereby certify that on Friday, January 10, 2020 I caused a true and accurate copy of the foregoing document to be filed via the courts CM/ECF online system, which sent notice via email to all counsel of record.

s/ Cassandra P. Miller

Cassandra P. Miller

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